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FILED

JUL 2 8 2008

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF COURT
OAKLAND CALIFORNIA

10 | UNITED STATES DISTRICT COURT

11 | NORTHERN DISTRICT OF CALIFORNIA

12 | OAKLAND DIVISION   08-90359 MISC   WDB

13 | IN THE MATTER OF THE   )   Misc. No.
THE EXTRADITION OF HELENA YUEN-)
14 | LAN LAU   )   COMPLAINT FOR ARREST WITH A VIEW
)   TOWARDS EXTRADITION (18 U.S.C.
15 |)   § 3184)
)
16 |)

17 | I, the undersigned Assistant United States Attorney, being duly sworn, state on

18 | information and belief that the following is true and correct:

19 | 1.   In this matter, I act for and on behalf of the Government of the Hong Kong

20 | Special Administrative Region of the People's Republic of China ("Hong Kong") ("requesting

21 | state");

22 | 2.   There is an extradition treaty in force between the United States and Hong Kong,

23 | the Agreement between the Government of the United States of America and the Government of

24 | Hong Kong for the Surrender of Fugitive Offenders (the "Extradition Agreement") (Dec. 20,

25 | 1996, U.S.-H.K., S. Treaty Doc. No. 105-3) (1997));

26 | 3.   In accordance with the extradition treaty, the Government of Hong Kong has

27 | asked the United States through diplomatic channels for the extradition of HELENA YUEN-

28

COMPLAINT FOR ARREST RE:
EXTRADITION

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1   LAN LAU;

2   4.   According to the information provided by the requesting state in the form

3   authorized by the extradition treaty, HELENA YUEN-LAN LAU is charged in Hong Kong with

4   one charge of theft, in accordance with Section 9 of the Theft Ordinance, Chapter 210, Laws of

5   Hong Kong (the "Theft Ordinance"), and an alternative charge of fraud, in accordance with

6   Section 16A of the Theft Ordinance. On March 8, 2008, a magistrate, which is a judicial officer,

7   for the Eastern Magistracy of Hong Kong issued an arrest warrant for the arrest of HELENA

8   YUEN-LAN LAU bearing writ number AW21/07.

9   5.   The facts of the case are as follows:

10   As set forth in Hong Kong's formal request for the extradition of HELENA YUEN-LAN

11 LAU, according to Christopher Mark Quinton Rampton, HELENA YUEN-LAN LAU worked as

12 Rampton's personal secretary from December 1991 to January 2002. From January 2002 up to

13 and including March 2003, HELENA YUEN-LAN LAU assisted Rampton in an informal

14 capacity. Since 1995, HELENA YUEN-LAN LAU was authorized by Rampton to withdraw

15 money directly from the personal account of Rampton according to his instructions during his

16 absences from Hong Kong so that Rampton's financial obligations could be settled in time. The

17 signature of Rampton would be provided to the bank subsequently upon his return to Hong

18 Kong. After Rampton left Hong Kong in November 2002, HELENA YUEN-LAN LAU allowed

19 Rampton to use her home address as a correspondence address and offered to forward his mail,

20 including bank statements to him. In March 2003, Rampton discovered that HELENA YUEN-

21 LAN LAU had withdrawn money from his accounts without his authorization during the period

22 from December 1998 to March 2003. The total amount that HELENA YUEN-LAN LAU

23 withdrew without his knowledge was about HK$7.5 million. Upon this discovery, Rampton

24 telephoned HELENA YUEN-LAN LAU, who admitted that she had withdrawn the money from

25 Rampton's bank account in order to pay her gambling debts. She agreed to pay back Rampton

26 HK$2 million, but failed to do so.

27   6.   Fraud and theft are extraditable offenses under Article 2 of the Agreement

28 between the Government of the United States of America and the Government of Hong Kong for

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1 the Surrender of Fugitive Offenders.

2   7.   According to recent intelligence from the Federal Bureau of Investigation's San

3 Francisco office and from the United States Marshals Service, HELENA YUEN-LAN LAU is

4 believed to be located at 3214 Fir Avenue, Alameda, California. She is a Hong Kong citizen

5 born on September 24, 1960, in Hong Kong.

6   8.   Because disclosure of the existence of this complaint and the requested warrant

7 may cause HELENA YUEN-LAN LAU to flee, or may otherwise put the arresting officers in

8 greater danger, the undersigned complainant requests that this complaint and the requested

9 warrant be placed UNDER SEAL until the arrest of HELENA YUEN-LAN LAU or until further

10 order of the Court.

11   WHEREFORE, the undersigned complainant requests that a warrant for the arrest of the

12 afore-named person be issued in accordance with Title 18, United States Code, Section 3184, and

13 the Extradition Treaty between the United States and Hong Kong; and that, if on such hearing,

14 the Court deems the evidence sufficient under the provisions of the treaty to sustain the charge,

15 the Court certify the same to the Secretary of State in order that a warrant may be issued for the

16 surrender of HELENA YUEN-LAN LAU to the appropriate authorities of Hong Kong according

17 to the stipulations of the treaty; and for such other actions as the Court at the time may be

18 required to take under the provisions of the treaty and the laws of the United States.

19   I swear under penalty of perjury that the foregoing is true and correct to the best of my

20 knowledge.

21

22 _____
    CHRISTINE Y. WONG
23 Assistant United States Attorney

24 Sworn to before me and subscribed in my presence this 25 day of

25 July, 2008, at San Francisco, California.

26

27 _____
    HON. MARIA-ELENA JAMES
28 United States Magistrate Judge

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